

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:)	CASE NO. 14-51529-WLH
)	
RONALD JEAN MARTIN AGENOR and)	
TONYA WILLIAMS AGENOR,)	CHAPTER 7
)	
Debtors.)	
)	
)	
)	
S. GREGORY HAYS, Trustee of the Estate of)	CONTESTED MATTER
Ronald Jean Martin Agenor and)	
Tonya Williams Agenor,)	
)	
Objector,)	
)	
vs.)	
)	
JASON FELDMAN,)	
)	
Claimant.)	
)	

**NOTICE OF REQUIREMENT OF RESPONSE TO OBJECTION TO PROOF OF
CLAIM NO. 9-1 FILED BY JASON FELDMAN, OF DEADLINE FOR FILING
RESPONSE, AND OF HEARING**

PLEASE TAKE NOTICE that S. Gregory Hays, Trustee for the estate of Ronald Jean Martin Agenor and Tonya Williams Agenor, has filed an Objection to the above-referenced claim seeking an order to disallow it in its entirety for purposes of distribution.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to grant the relief requested, or if you want the court to consider your views, then on **or before July 20, 2020**, you or your attorney must:

- (1) File with the court a written response, explaining your positions and views as to why your claim should be allowed as filed. The written response must be filed at the following address:

Clerk, United States Bankruptcy Court
1340 Richard B. Russell Building
75 Ted Turner Drive, S.W.
Atlanta, Georgia 30303

If you mail your response to the Clerk for filing, you must mail it early enough so that the Clerk will **actually receive** it on or before the date stated above.

(2) Mail or deliver a copy of your written response to the Objector's attorney at the address stated below. You must attach a Certificate of Service to your written response stating when, how, and on whom (including addresses) you served the response.

If you or your attorney file a timely response, then a hearing will be held in **Courtroom 1403, United States Courthouse, 75 Ted Turner Drive, S.W., Atlanta, Georgia at 10:30 a.m. on July 23, 2020**. You or your attorney must attend the hearing and advocate your position. *However, given the current public health crisis, hearings may be telephonic only. Please check the "Important Information Regarding Court Operations During COVID-19 Outbreak" tab at the top of the GANB Website prior to the hearing for instructions on whether to appear in person or by phone.*

Dated: June 4, 2020

ARNALL GOLDEN GREGORY LLP

By: s/ Michael J. Bargar
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Attorneys for Trustee

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JASON FELDMAN,)	
)	
Claimant.)	
)	

**OBJECTION TO PROOF OF CLAIM NO. 9-1 FILED BY
JASON FELDMAN**

COMES NOW S. Gregory Hays, the Chapter 7 Trustee herein (“**Trustee**”) and objects to Proof of Claim No. 9-1 filed by the Jason Feldman (“**Claimant**”), by showing the Court as follows:

1.

Ronald Jean Martin Agenor and Tonya Williams Agenor (the “**Debtors**”) filed a voluntary petition for relief under Chapter 7 of Title 11 U.S.C. on January 23, 2014 (the “**Petition Date**”), thereby initiating Case No. 14-51529-wlh (the “**Case**”).

2.

Shortly thereafter, Trustee was appointed to the Case as the Chapter 7 trustee, pursuant to 11 U.S.C. § 701(a)(1).

3.

A bar order was issued on June 5, 2014, setting September 3, 2014 as the last day to file proofs of claim in this case.

4.

On August 4, 2014, Claimant filed Claim No. 9-1 (the “**Claim**”) in the amount of \$17,340 based upon “2013 unpaid rent, plus late charges, plus rent increase triggered month-to-month after lease expiration” and claimed that \$2,775 (the statutory maximum at that time) was entitled to priority under 11 U.S.C. § 507(a)(7). According to certain supporting documentation filed with the Claim, the Debtors paid a security deposit of \$2,800.00 to Claimant. *See* [Claim No. 9-1, Page 8]. Under Section 507(a)(7), an unsecured claim is entitled to priority to extent that a deposit is *paid by a claimant* in connection with the purchase, lease, or rental of property, among other things. *See* 11 U.S.C. § 507(a)(7). Upon information and belief, the opposite situation exists here – the Debtors paid the deposit to the Claimant.

5.

Therefore, Trustee objects to the Claim as being a claim entitled to priority treatment. As such, the Claim should be allowed as a nonpriority, general unsecured claim in the amount of \$17,340.00.

WHEREFORE, Trustee respectfully requests that the Court:

- a) Allow Claim No. 9-1 as a nonpriority, unsecured claim in the amount of \$17,340.00; and
- b) Grant such other and further relief as the Court may deem just and proper.

Respectfully submitted, this 4th day of June, 2020.

ARNALL GOLDEN GREGORY LLP

By:/s/ Michael J. Bargar
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michael.bargar@agg.com

Attorneys for Trustee

CERTIFICATE OF SERVICE

This is to certify that I, Michael J. Bargar, am over the age of 18 and that I have this day served a true and correct copy of the foregoing *Notice Of Requirement Of Response To Objection To Proof Of Claim No. 9-1 Filed By Jason Feldman, Of Deadline For Filing Response, And Of Hearing and Objection To Proof Of Claim No. 9-1 Filed By Jason Feldman* by first class mail on those persons or entities set forth below at the address stated:

Office of the United States Trustee
362 Richard B. Russell Building
75 Ted Turner Drive, SW
Atlanta, GA 30303

Tonya Williams Agenor
20533 Biscayne Blvd #119
Aventura, FL 33180

Ronald Jean Martin Agenor
20533 Biscayne Blvd #119
Aventura, FL 33180

Jason Feldman
825 Bass Landing Pl
Greensboro, NC 27455

Jason Feldman
6092 Delshire Ct
Raleigh, NC 27614

This 4th day of June, 2020.

/s/ Michael J. Bargar
Michael J. Bargar
Georgia Bar No. 645709